# MILES & STOCKBRIDGE P.C.

UTAH PUBLIC SERVICE COMMISSION

Kenneth M. Misken 703-610-8693 kmisken@Milesstockbridge.com

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November 14, 2011

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Re:

Trans National Communications International, Inc. USBC, District of Massachusetts, Eastern Division

Case No. 11-19595

Dear Creditors:

Docket No. 12-999-03

On October 9, 2011, Trans National Communications International, Inc. ("TNCI") filed for bankruptcy protection under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Massachusetts (Boston). The court's website is <a href="https://www.mab.uscourts.gov">www.mab.uscourts.gov</a> and the Case Number is 11-19595.

On October 20, 2011, the United States Trustee appointed three creditors to the Official Committee of Unsecured Creditors (the "Committee"). They are (1) Sprint Communications Company, L.P., (2) Verizon Services Corp., and (3) Agent Alliance, Inc. On the same day, the Committee selected Miles & Stockbridge P.C. to represent it in the bankruptcy case.

Section 1103 of the Bankruptcy Code provides that the Committee may, among other things, (i) consult with the debtor concerning the administration of the case, (ii) investigate the acts, conduct, assets, liabilities of the debtor, the operation of the Debtor's business and the desirability of the continuance of the business, (iii) participate in the formulation of a plan and advise the unsecured creditors of the committee's determination as to any plan, and (iv) perform such other services that are in the interests of the unsecured creditors.

The Bankruptcy Code requires the Committee to provide access to information and to solicit and receive comments from the creditors. By local rule, however, the Committee is not required to provide confidential information or information that is subject to attorney-client privilege, the work-product doctrine, or any other privilege or protection. To satisfy this obligation, the Committee established a website (www.milesstockbridge.com/tnci\_bankruptcy.aspx) on which the Committee will post information consistent with its obligation and will provide monthly updates on the significant events taking place in the bankruptcy case. In addition, in order to effectively and efficiently communicate with the creditors, the Committee has created an email address (tncicommittee@milesstockbridge.com). If you have any questions, comments, or concerns about the bankruptcy case, send an email and either one of my colleagues or I will provide a timely response.

Since the bankruptcy case was filed on October 9, 2011, the first case update is provided below. All subsequent updates will be uploaded directly to the website.

### Case Update Through November 11, 2011

Significant Motions/Orders

Cash Collateral – On October 10, 2011, the Debtor filed a motion for authorization to use its cash during
the course of the bankruptcy case and to provide RBS Citizens, N.A. and Charlesgate West Management,
Inc. (collectively, the "Secured Creditors") adequate protection. The Debtor asserts that both Secured
Creditors hold liens on the Debtor's assets. By order dated October 17, 2011, the Court granted the
Debtor's motion authorizing the Debtor to use cash collateral and set a final hearing for October 26, 2011,
at 9:30 a.m., which was subsequently continued to November 9, 2011.

Client Documents: 4824-8199-7326v2|T6911-000003|11/14/2011

1751 Pinnacle Drive, Suite 500, McLean, VA 22102-3833 • 703.903.9000 • Fax: 703.610.8686 • www.milesstockbridge.com

The Committee filed an objection to the Debtor's use of cash collateral because the Committee believed that the Debtor was making various concessions that the Debtor did not need to make. At the hearing on November 9, 2011, the Court overruled the Committee's objection. The Court will enter an order granting the Debtor the use of cash collateral through January 24, 2012. Any objections to the continued use of cash collateral shall be filed on or before January 17, 2012.

2. Motion to Prohibit Utilities/Carriers from Terminating or Altering Service – On October 24, 2011, the Debtor filed a motion to prohibit the Carriers from terminating or altering service and to deem Carriers adequately protected based upon adequate assurance proposed in the motion. Verizon, Qwest, Frontier, Sprint, and the Committee filed objections to the motion. The Court entered an order on the motion as to non-objecting Carriers. Verizon, Sprint, and Frontier entered into stipulations with the Debtor. An order as to Qwest has not been entered.

#### Debtor's Professionals

The Debtor has proposed to employ the professionals identified below. The hearing on the applications to employ is scheduled for November 16, 2011.

- 1. Murphy & King, P.C. Debtor's counsel.
- 2. Verdolino & Lowey Debtor's financial advisor.
- 3. Mintz Levin Debtor's telecommunications counsel.
- 4. The Staten Group Chief Restructuring Officer.

#### Committee's Professionals

The Committee has proposed to employ the professionals identified below. The hearing on the applications to employ is scheduled for November 16, 2011.

- 1. Miles & Stockbridge P.C. Committee's counsel.
- 2. Pollack & Flanders, L.L.P. Committee's local counsel

If you have any questions regarding this case, please visit: www.milesstockbridge.com/tnci\_bankruptcy.aspx or email us at <a href="mailto:tncicommittee@milesstockbridge.com">tncicommittee@milesstockbridge.com</a>.

Best Regards,

Kenneth M. Misken

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## Telecom Cases in Bankruptcy

Open Range Communications, Inc.

U.S. Bankruptcy Ct., Dist. Of Delaware Case No. 11-13188 (KJC)